

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

OKUYAMA et al.

Atty. Ref.: 550-850

Appl. No. 10/590,064

TC/A.U. 1621

Filed: October 2, 2007

Examiner: PARSA, Jafar F.

For: MODULATOR

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February 24, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST

The Examiner is requested to return a completely-initialed copy of the PTO-1449 Form bearing the OIPE date-stamped of August 21, 2006. Specifically, sheet 1 of 2 of the PTO-1449 Form returned with the Office Action of February 12, 2009, does not include the Examiner's initials next to the International Search Report of PCT/GB2005/000605 and Journal of Medicinal Chemistry, 35(11), 2074-84, JMCMAR, ISSN:0022-2623, 1992. The entirety of the PTO-1449 Form has been initialed by the Examiner on February 9, 2009, and the other references indicated as having been specifically considered by initialing next to each of the references. The above noted references however do not include in the left-hand column the Examiner's initials. A completely-initialed copy of sheet 1 of 2 of the PTO-1449 Form, pursuant to MPEP § 609, is requested.

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Submitted herewith is a revised sheet 2 of 2 of the PTO-1449 and returned with the Office Action of February 12, 2009, which lists the same references filed August 21, 2006. The attached is submitted in place of the PTO-1449 Form filed August 21, 2006, as the attached includes the dates of the lined-through references. The cited references are believed to be contained in the PTO IFW.

Return of an initialed copy of the attached PTO 1449 Form, pursuant to MPEP § 609, is also requested.

The Examiner is requested to confirm in a further communication that the figures filed August 21, 2006, are acceptable or advise the undersigned of any specific objection or rejection of the same.

The present paper is not being filed in response to the Office Action of February 12, 2009.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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